

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION**

**UNITED STATES OF AMERICA**

**|CASE NO 6:12CR18**

**V.**

**ERIC KENNARD CRUMP, et al**  
**Defendant**

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**MOTION TO DISCLOSE GRAND JURY PROCEEDINGS AND  
INFORMATION AND MEMORANDUM IN SUPPORT THEREOF**

Now Comes the Defendant, Eric Kennard Crump, by and through undersigned counsel, moves this Honorable Court for an Order allowing Defendant to inspect and copy the recorded testimony of the following individuals before the Grand Jury which returned the instant indictment and other information regarding the term of said Grand Jury, and further states:

1. The Defendant requests the Grand Jury testimony of those persons:
  - a. The Government plans to call as witnesses at the trial.
  - b. Any other person who testified before the Grand Jury, whether or not the United States government intends to call them as witnesses.
2. The Defendant also requests disclosure of the following information relative to the indicting Grand Jury in this cause:
  - a. The date that the Grand Jury was empanelled;
  - b. The length of the indicting Grand Jury's term;
  - c. Whether the term of this Grand Jury has been extended beyond its original term, and, if so, the application and order of extension;

d. Whether this Grand Jury considered evidence presented to prior Grand Juries, , and, if so, a copy of the Rule 6(e) application and order. The date that the indictment was returned in this cause, and the identifying number of this Grand Jury.

### **MEMORANDUM OF LAW**

In support of this Motion the Defendant argues:

1. The grand jury has ended its deliberation and all testimony desired has been recorded and an Indictment has been entered. The major reasons for secrecy are no longer relevant and there is no danger that undue influence will be applied to perspective grand jurors or witnesses appearing before the jury; nor is there a danger of an escape by any person whose indictment might be contemplated.

2. The Indictment and trial creates a serious risk of wrongful attribution of guilt and therefore demands that every possible step be taken to lessen the role of inaccuracy or surprise.

3. Disclosure of the testimony at this time will avoid the confusion, interruption and delay that will result if it must be requested piecemeal at the trial.

4. The testimony requested has been released and made available to the government for their use in the preparation for trial and it will not be inconvenient to make the testimony available to the Defendant for the same use.

The Defendant relies upon the language and philosophy as expounded in Dennis v. United States, 384 U.S. 855 (1966); United States v. Sacony Vacuum Oil Company, 310 U.S. 234 (1939); United States v. Youngblood, 379 F.2d 365 (2<sup>nd</sup> Cir. 1967).

WHEREFORE, the Defendant prays that this Honorable Court grant the within Motion.

This 12th day of December, 2012.

/s/ John E. Morrison

John E. Morrison

Attorney for Defendant

State Bar No. 524278

1009 Second Street, Suite A  
Soperton, GA 30457  
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**CERTIFICATE OF SERVICE**

This is to certify that I have on this day served all the parties in this case in accordance with the directives from the Court Notice of Electronic Filing ("NEF") which was generated as a result of electronic filing.

This 12th day of December, 2012.

/s/ John E. Morrison  
John E. Morrison  
Attorney for Defendant  
State Bar No. 524278

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